



A BILL FOR AN ORDINANCE

RELATING TO INTERGOVERNMENTAL RELATIONS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to modify the approval process for certain intergovernmental agreements.

SECTION 2. Section 1-8.2, Revised Ordinances of Honolulu 1990, as amended, is amended to read as follows:

"Sec. 1-8.2 Intergovernmental relations—Effects of.

- (a) Except for those exempted under [subsection (b),] subsections (b) or (c), any intergovernmental agreement, or any amendments thereto, which place an obligation upon the city or any department or agency thereof shall require prior city council's consent and approval. City council's consent and authorization as well as the designated official authorized to execute the intergovernmental agreement in behalf of the City and County of Honolulu shall be contained in the form of either an ordinance or resolution.

When carrying out the provisions of any intergovernmental agreement entered into in accordance with this subsection, all applications and/or amendments thereof, statistical data programs, reports or other official communications which support the application and which are required to be provided by the city or its component departments to any other governmental or quasi-governmental agency shall first be presented to the city council for its review and approval prior to its transmittal. Council's consent and authorization shall be through adoption of an appropriate resolution.

- (b) In lieu of the requirements of subsection (a), the following departments shall submit an annual report to the council by September 30 detailing all intergovernmental agreements placing obligations upon them that were entered into or utilized during the previous fiscal year:
- (1) Department of emergency services;
 - (2) Honolulu fire department;
 - (3) [Oahu civil defense agency;] Department of emergency management;



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- (4) Department of the medical examiner;
- (5) Honolulu police department; and
- (6) Department of the prosecuting attorney.

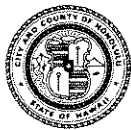
The intergovernmental agreements subject to this subsection shall be deemed approved by the council unless such report is not submitted.

- (c) In lieu of the requirements of subsection (a), an intergovernmental agreement that, according to written certification by the mayor or the mayor's designee, will not be executed until approved, does not require the expenditure of city funds, and for which the city has not already accepted funds, shall be deemed approved 15 days after being filed with the city clerk and distributed to all members of the city council, unless a councilmember files a written objection with the city clerk prior to the 15th day. An intergovernmental agreement that has been objected to shall not be eligible for approval under this subsection.

The agreement or the submittal to the city clerk shall identify the city official to be authorized to execute the agreement. Approval of the intergovernmental agreement shall authorize the designated city official to execute the agreement in substantially the form filed, as well as any related agreements and amendments that also do not require the expenditure of city funds and shall authorize the designated city official to receive and expend funds provided pursuant to the agreement.

An annual report shall be submitted by the managing director or the managing director's designee to the council by September 30 detailing all intergovernmental agreements that have been deemed approved under this subsection and executed or utilized during the previous fiscal year."

SECTION 3. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.



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SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Charles Djou

DATE OF INTRODUCTION:

June 27, 2007
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Harlene A. Kelly
Deputy Corporation Counsel

APPROVED this 4th day of October, 2007.

Mufi Hannemann
MUFU HANNEMANN, Mayor
City and County of Honolulu

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HONOLULU, HAWAII
CERTIFICATE

ORDINANCE 07-40

BILL 56 (2007), CD2

Introduced: 06/27/07 By: CHARLES DJOU

Committee: INTERGOVERNMENTAL
AFFAIRS

Title: A BILL FOR AN ORDINANCE RELATING TO INTERGOVERNMENTAL RELATIONS.

Links: [BILL 56 \(2007\)](#)
[BILL 56 \(2007\), CD1](#)
[BILL 56 \(2007\), CD2](#)
[CR-289](#)

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|--|-------------|---|
| COUNCIL | 07/05/07 | BILL PASSED FIRST READING AND REFERRED TO INTERGOVERNMENTAL AFFAIRS COMMITTEE. |
| | APO Y | CACHOLA Y *DELA CRUZ Y DJOU Y GARCIA Y |
| | KOBAYASHI Y | MARSHALL Y OKINO Y TAM Y |
| (*Note: Councilmember Dela Cruz was absent and not excused and pursuant to Council Rule 12.3 was recorded as an affirmative vote.) | | |
| INTERGOVERNMENTAL AFFAIRS | 08/02/07 | CR-289 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AS AMENDED IN CD1 FORM. |
| PUBLISH | 08/04/07 | PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN. |
| COUNCIL/PUBLIC HEARING | 08/15/07 | BILL PASSED SECOND READING AS AMENDED (BILL 56 (2007), CD1), CR-289 ADOPTED, PUBLIC HEARING CLOSED AND REFERRED TO INTERGOVERNMENTAL AFFAIRS COMMITTEE. |
| | APO Y | CACHOLA E DELA CRUZ Y DJOU E GARCIA Y |
| | KOBAYASHI Y | MARSHALL Y OKINO Y TAM Y |
| PUBLISH | 08/24/07 | SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN. |
| INTERGOVERNMENTAL AFFAIRS | 09/06/07 | CR-325 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM. |
| COUNCIL | 09/19/07 | CR-325 ADOPTED AND BILL AS AMENDED (BILL 56 (2007), CD2) PASSED THIRD READING. |
| | APO Y | CACHOLA Y DELA CRUZ Y DJOU Y GARCIA Y |
| | KOBAYASHI Y | MARSHALL N OKINO Y TAM Y |

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


DENISE C. DE COSTA, CITY CLERK


BARBARA MARSHALL, CHAIR AND PRESIDING OFFICER